

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	08-CR-00124-NKL-1
MATTHEW HARKER,)	
)	
Defendant.)	

ORDER

On November 25, 2009, United States Magistrate Judge Sarah W. Hays issued a Report and Recommendation ("Report") recommending that this Court enter an order returning defendant Harker to the Federal Medical Center in Butner, North Carolina, and directing the Federal Medical Center to commence the involuntary medication of defendant Harker in order to render him competent to stand trial; the Report further recommended that, as part of this order, the Federal Medical Center should be granted permission to do the basic metabolic tests that would help ensure defendant Harker's safety and monitor any side effects from the medication. Neither party filed an objection.

After a *de novo* review of the record, the Court finds that the Report thoroughly and correctly discusses the facts and law pertinent to this matter, including the factors set forth in *Sell v. United States*, 539 U.S. 166 (2003). The Court is convinced that the recommendation of the Magistrate Judge is correct and should be adopted.

Accordingly, it is hereby

ORDERED that the Magistrate's Report [Doc. # 26] is ADOPTED. The Federal Medical Center shall commence the involuntary medication of defendant Harker in order to render him competent to stand trial; given the evidence concerning the potential side effects of that medication, the Federal Medical Center shall perform basic metabolic tests that would help ensure defendant Harker's safety and shall monitor any side effects from the medication.

s/ Nanette K. Laughrey
NANETTE K. LAUGHREY
United States District Judge

Dated: December 21, 2009
Jefferson City, Missouri